

Pyramid Lake Paiute Tribal Council

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RESOLUTION NO.: PL 128-21

RESOLUTION OF THE TRIBAL COUNCIL OF THE PYRAMID LAKE PAIUTE TRIBE NIXON, NEVADA

WHEREAS, the Pyramid Lake Paiute Tribe (“Tribe”) is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act (25 U.S.C. § 476) and is federally recognized by the United States Government through the Secretary of the Interior and the Bureau of Indian Affairs; and

WHEREAS, the Tribe, pursuant to Article VI, Section 1 of the Constitution and By-laws of the Tribe, the Tribe is empowered to enter into litigation to protect its interests and the interests of its members;

WHEREAS, the Tribe filed a legal challenge in the Nevada Supreme Court (*Pyramid Lake Paiute Tribe v. Washoe Co., et al.*, Case No. 82551, filed Feb. 26, 2021) opposing the Special Use Permit (“SUP”) approved by Washoe County for Ormat Technologies, Inc.’s expansion of the San Emidio Geothermal Project, located just outside of the northwest boundary of the Pyramid Lake Paiute Reservation, because of the threat of adverse impacts on the Tribe’s natural resources, including the Tribe’s own geothermal resources within the Reservation boundary;

WHEREAS, on May 21, 2021, the U.S. Bureau of Land Management (“BLM”) publicly issued a Final Environmental Assessment (“EA”) for Ormat’s Project, which, among other things, requires that Ormat prepare a Groundwater Monitoring Plan to monitor potential adverse effects to the Tribe’s resources from the San Emidio Geothermal Project, in consultation with the Tribe and subject to final approval by the BLM;

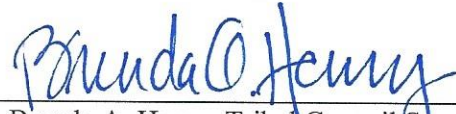
WHEREAS, the Ormat developed a Groundwater Monitoring Plan, and the Tribe reviewed and has generally approved the Groundwater Monitoring Plan, which Ormat will submit to the BLM for approval pursuant to the EA; and

WHEREAS, the Tribe is satisfied with the Groundwater Monitoring Plan and therefore wishes to dismiss its legal challenge of Washoe County’s approval of Ormat’s SUP; and

NOW, THEREFORE BE IT RESOLVED, that the Pyramid Lake Paiute Tribal Council hereby authorizes and directs its attorneys at the Kemp Jones, LLP law firm to dismiss that certain legal action entitled *Pyramid Lake Paiute Tribe v. Washoe Co., et al.*, Case No. 82551.

CERTIFICATION

It is hereby certified that the foregoing resolution of the Pyramid Lake Paiute Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom ten (10) constituting a quorum were present at a meeting duly held on the 15th day of September, 2021 was adopted by the affirmative vote of nine (9) FOR and zero (0) AGAINST, with zero (0) ABSTENTIONS; pursuant to the authority contained in the Constitution and By-laws of the Pyramid Lake Paiute Tribe.



Brenda A. Henry, Tribal Council Secretary
Pyramid Lake Paiute Tribal Council